

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**NETWORK-1 SECURITY SOLUTIONS,  
INC.**

**Plaintiff,**

**vs.**

**CISCO SYSTEMS, INC., ET AL**

**Defendants.**

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**CASE NO. 6:08CV30**

**ORDER**

Defendants' Notices of Intent to Request Redaction (Docket No. 530, 531) are before the Court. Defendants inform the Court that they will move to redact jury trial transcripts in this case. The trial proceedings were not sealed and were open to the public.

The Eastern District has procedures to redact personally identifying information from transcripts. *See The Ohio Willow Wood Company v. Thermo-Ply, Inc.*, 9:07-CV-274, Docket No. 27 (Clark, J.); Transcript Procedures for Attorneys (2008)<sup>1</sup>; Local Rule CV-5.2. The policy protects four categories of personal data identifiers, namely social security and taxpayer-identification numbers, dates of birth, initials of minor children, and financial account numbers. "If an attorney wishes to redact additional information, he or she may make a motion to the court." Local Rule CV-5.2(b)(4).

The Court warns the parties that it rarely redacts statements made in open court and thus already in the public domain unless they contain social security or taxpayer-identification numbers, dates of birth, initials of minor children, or financial account numbers or are impertinent, scandalous,

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<sup>1</sup> Available at <http://www.txed.uscourts.gov/Records/Transcripts.htm>.

or inadvertent disclosures of trade secrets. Without a specific showing of likely harm, the Court will not order redaction simply because a party deems the statements sensitive or confidential.

The District's court reporters are busy individuals, providing their services for a myriad of courtroom proceedings including trials, claim construction hearings, motion hearings, status and case management conferences, and criminal proceedings. In a patent case, it is not unusual for transcripts to be requested—on an expedited basis—of nearly every hearing in the case. Further, the technology involved in a patent case typically increases the complexity of transcribing the proceedings. Allowing redactions any time would put an enormous burden on the District's court reporters.

The parties should consider this guidance in deciding whether to seek any redactions.

**So ORDERED and SIGNED this 10th day of August, 2010.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**